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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Kimmo Hamynen

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Hollingsworth & Funk, LLC
8009 34th Avenue South
Suite 125
Minneapolis, MN 54425

EXAMINER

PATEL, HARESH N

ART UNIT

PAPER NUMBER

2454

MAIL DATE

DELIVERY MODE

10/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. Claims 1-40 are presented for examination.
2. Applicant's amendment to the claims dated 7/15/2008 is acknowledged.
3. The amendment to the claims dated 7/15/2008 has been done in response to the office action dated 6/6/2008. Amendment to the claims dated 7/15/2008 was neither proposed nor required by the office action dated 6/6/2008. Considering the applicant's amendment to the claims, which alter the scope of the claimed subject matter of the claims, this office action contains updated election/restriction requirement.
4. Considering the applicant's statements dated 7/15/2008, i.e., Applicant is not afforded an opportunity to provide a reasoned response, etc., this office action has been provided.
5. Considering the applicant's amendments to the claims, the applicant is suggested to present further claims for method with the subject matter of claims 26-31 and 38-40 and computer storage medium with the subject matter of claims 26-31 and 38-40; which would fall into the Group III. (Note: This is a suggestion for expediting the prosecution of this case).

Considering the applicant's amendment to the claims below is the updated Groups:

Election/Restrictions

6. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-25, are drawn to, "obtaining a location update relative to a position of a mobile terminal, receiving filtered results according to the location criteria,

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- automatically displaying the updated results in response to the relative position of the mobile terminal”, classified in class 709, subclass 203.
- II. Claims 32-37, are drawn to, “content provider containing Web pages that include eXtensible Markup Language (XML) to define location information associated with the Web pages with information containing within and XML file”, classified in class 715, subclass 239.
- III. Claims 26-31, 38-40, are drawn to, “user interface to display menu options containing a general search option that returns Web content irregardless of location tags, location search option, a user centric search option etc”, classified in class 715, subclass 700.

7. Considering the amendments to the claims dated 7/15/2008, The restriction is based on Subcombination not essential to combination, “Since claims to both the subcombination and combination are presented, the omission of details of the claimed subcombination Bsp in the combination claim ABbr is evidence that **the combination (claims 1-25) does not rely upon the specific limitations of the subcombination (claims 32-37) (claims 26-31, 38-40) for its patentability**. Claims 1-25 does not rely upon content provider containing Web pages that include eXtensible Markup Language (XML) to define location information associated with the Web pages with information containing within and XML file, etc (NOTE: further elements of the claimed subject matter of claims 32-37 that are not relied upon by the claims 1-25 for its patentability are not included at this time for simplicity). Similarly, Claims 1-25 does not rely upon user interface to display menu options containing a general search option that returns Web

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content irregardless of location tags, location search option, a user centric search option etc

(NOTE: further elements of the claimed subject matter of claims 26-31, 38-40 that are not relied upon by the claims 1-25 for its patentability are not included at this time for simplicity).

8. Considering that it would be a serious burden for examining all three groups, the election/restriction requirement has been done. The applicant's deletion of few elements from the claims of different groups would not alter the fact that the Group I search (claims under Group I) would require use of search class 709, subclass 203 (not required for the inventions II-III). Group II search (claims under Group II) would require use of search class 715, subclass 239 (not required for the inventions I, III). Group III search (claims under Group III) would require use of search class 715, subclass 700 (not required for the inventions I, II).

9. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143). Note: This office action is provided again so that the applicant is afforded an opportunity to provide a reasoned response as requested.

10. A shortened statutory period for response to this action is set to expire 0 (zero) months and 30 (thirty) days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, MPEP 710.02, 710.02(b)).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2454

10/13/2008